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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,037	12/29/2003	Rajagopal Baskaran	OR03-11001	8268

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ORACLE INTERNATIONAL CORPORATION  
c/o PARK, VAUGHAN & FLEMING LLP  
2820 FIFTH STREET  
DAVIS, CA 95618-7759

EXAMINER
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CABUCOS, MARIE G

ART UNIT	PAPER NUMBER
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2163

MAIL DATE	DELIVERY MODE
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06/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/749,037

Applicant(s)

BASKARAN ET AL.

Examiner

Marie Antoinette Cabucos

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2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/19/2007 has been entered.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-4 and 6-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-4 and 6-8 are directed towards method steps, which can be practiced mentally in conjunction with pen and paper, therefore, they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the method steps. The claimed steps do not define a machine or computer implemented process. (The examiner suggests applicant to change "method" to "computer implemented method" in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

OR

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6-12, 14-20 and 22-24 are rejected under 35 U.S.C. 102(b) as being unpatentable by Baisley et al (US Patent no. 6,415,299).

Regarding claims 1, 9 and 17, Baisley discloses in figures 3 and 5A-5D a computer-implemented method to facilitate merging different versions of a database object, comprising receiving metadata (taken to mean as any data about data) associated with a first version of the database object and a second version of the database object (col. 3, lines 1-30; e.g. object as "database object" and feature object/attribute as "metadata"); comparing metadata associated with the first version of the database object with metadata associated with the second version of the database object to create a difference report (dual history); and creating an action plan from the difference report that specifies how to merge metadata associated with the first version of the database object with metadata associated with the second version of the database object (col. 2, lines 10-27), wherein creating the action plan from the

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difference report involves allowing a user to select which actions to take in merging metadata in order to produce merged metadata with desired properties and attributes (col. 5, lines 17-53 plus col. 6, lines 1-15; col. 3 lines 42-65).

5. Regarding claims 2, 10 and 18, Baisley discloses a computer-implemented method to facilitate merging different versions of a database object, wherein metadata associated with the first version and the second version of the database object are represented in Unified Modeling Language (col. 3, lines 64-67; col. 4, lines 1-6).

6. Regarding claims 3, 4, 11, 12, 19 and 20, Baisley discloses in figure 3 a computer-implemented method to facilitate merging different versions of a database object, wherein comparing metadata associated with the first version and second version of the database object involves customizing which associations to compare (col. 5, table I); and customizing how to compare the first metadata and the second metadata (col. 6, table II).

7. Regarding claims 6, 15 and 22, Baisley discloses in figures 5A-5D a computer-implemented method to facilitate merging different versions of a database object, wherein creating the action plan involves examining the difference report to determine what actions to take in bringing metadata associated with the first version and second versions of the database object into agreement.

8. Regarding claims 7, 15 and 23, Baisley discloses a computer-implemented method to facilitate merging different versions of a database object, wherein metadata associated with first and second versions of the metadata object can define database

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objects, wherein database objects include tables, columns, dimensions, cube, views, materialized views, and external tables (col. 2, lines 66-67; col. 3, lines 1-19).

9. Regarding claims 8, 16 and 24, Baisley discloses a computer-implemented method to facilitate merging different versions of a database object, wherein the action plan can specify a number of actions including creating, updating, and deleting database objects, and their properties (col. 4, lines 32-34).

10. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ring et al (US Publication no. 2005/0102328).

Regarding claims 1, 9 and 17, Ring discloses in figures 6, 8a-8c, 9a, 9b, 11 and 12 a computer-implemented method to facilitate merging different versions of a database object, comprising receiving metadata (taken to mean as any data about data) associated with a first version of the database object and a second version of the database object (figures 8b and 8c; e.g. database object (842, 847) and metadata (875)); comparing metadata associated with the first version of the database object with metadata associated with the second version of the database object to create a difference report (figure 11a, reference 1115); and creating an action plan from the difference report that specifies how to merge metadata associated with the first version of the database object with metadata associated with the second version of the database object, wherein creating the action plan from the difference report involves allowing a user to select which actions to take in merging metadata in order to produce merged metadata with desired properties and attributes (paragraphs 0116-0120).

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**11.** Regarding claims 2, 10 and 18, Ring discloses a computer-implemented method to facilitate merging different versions of a database object, wherein metadata associated with the first version and the second version of the database object are represented in Unified Modeling Language (paragraphs 0117-0019).

**12.** Regarding claims 3, 4, 11, 12, 19 and 20, Ring discloses in figures 9a and 9b a computer-implemented method to facilitate merging different versions of a database object, wherein comparing metadata associated with the first version and second version of the database object involves customizing which associations to compare (960, 970); and customizing how to compare the first metadata and the second metadata (930, 975).

**13.** Regarding claims 6, 15 and 22, Ring discloses in figures 6, 8a-8c, 9a, 9b, 11 and 12 a computer-implemented method to facilitate merging different versions of a database object, wherein creating the action plan involves examining the difference report to determine what actions to take in bringing metadata associated with the first version and second versions of the database object into agreement (paragraphs 0099-0103).

**14.** Regarding claims 7, 15 and 23, Ring discloses a computer-implemented method to facilitate merging different versions of a database object, wherein metadata associated with first and second versions of the metadata object can define database objects, wherein database objects include tables, columns, dimensions, cube, views, materialized views, and external tables (paragraph 0098).

15. Regarding claims 8, 16 and 24, Ring discloses a computer-implemented method to facilitate merging different versions of a database object, wherein the action plan can specify a number of actions including creating, updating, and deleting database objects, and their properties (paragraphs 0122).

### ***Response to Arguments***

16. Applicant's arguments filed 4/19/2007 have been fully considered but they are not persuasive. Applicant argues that Baisley does not teach merging multiple versions of metadata associated with multiple objects or multiple versions of an object. Examiner, respectfully, disagree as Baisley discloses in figures 3 and 5A-5D a computer-implemented method to facilitate merging different versions of a database object; comprising receiving metadata (taken to mean as any data about data) associated with a first version of the database object and a second version of the database object (col. 3, lines 1-30; e.g. object as "database object" and feature object/attribute as "metadata"); comparing metadata associated with the first version of the database object with metadata associated with the second version of the database object to create a difference report (dual history); and creating an action plan from the difference report that specifies how to merge metadata associated with the first version of the database object with metadata associated with the second version of the database object (col. 2, lines 10-27), wherein creating the action plan from the difference report involves allowing a user to select which actions to take in merging metadata in order to



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produce merged metadata with desired properties and attributes (col. 5, lines 17-53 plus col. 6, lines 1-15; col. 3 lines 42-65).

***Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art of record to Beckett et al (US Patent no. 6,564,368) discloses a system and method for visual application development without programming.

Prior art of record to Kaler et al (US Patent no. 6,766,334) discloses a project-based configuration management method and apparatus.

Prior art of record to Gu et al (US Patent no. 6,925,467) discloses a byte-level file differencing and updating algorithms.

Prior art of record to Ying-Hsin Robert Chiang (US Publication no. 2004/0062130) disclose updating electronic files using byte-level file differencing and updating algorithms.

Prior art of record to Murman et al (US Publication no. 2004/0225682) discloses a preview mode.

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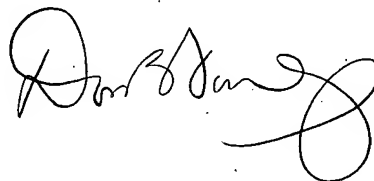
***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie Antoinette Cabucos whose telephone number is 571-272-8582. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marie Antoinette Cabucos  
Examiner  
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A handwritten signature in black ink, appearing to read "Don K. Wong", is written below the typed name of the examiner.